
**PRELIMINARY DRAFT
No. 3431**

**PREPARED BY
LEGISLATIVE SERVICES AGENCY
2004 GENERAL ASSEMBLY**

DIGEST

Citations Affected: IC 4-13.6-5-4.

Synopsis: Public works. Increases from \$50,000 to \$75,000 the cost of projects that the department of natural resources may perform without awarding a public works contract.

Effective: July 1, 2004.



A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 4-13.6-5-4, AS AMENDED BY P.L.12-2002, SECTIONpd 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 4. (a) If the estimated cost of a public works project is less than seventy-five thousand dollars (\$75,000), the division may perform the public work without awarding a public works contract under section 2 of this chapter. In performing the public work, the division may authorize use of equipment owned, rented, or leased by the state, may authorize purchase of materials in the manner provided by law, and may authorize performance of the public work using employees of the state.

(b) If a public works project involves a structure, improvement, or facility under the control of the department of natural resources, the department of natural resources may purchase materials for the project in the manner provided by law and without a contract being awarded, and may use its employees to perform the labor and supervision, if:

(1) the department of natural resources uses equipment owned or leased by it; and

(2) the division of engineering of the department of natural resources estimates the cost of the public works project will be less than ~~fifty~~ **seventy-five** thousand dollars (~~\$50,000~~): **(\$75,000)**.

(c) If a public works project involves a structure, improvement, or facility under the control of the department of correction, the department of correction may purchase materials for the project in the manner provided by law and use inmates in the custody of the department of correction to perform the labor and use its own employees for supervisory purposes, without awarding a contract, if:

(1) the department of correction uses equipment owned or leased by it; and

(2) the estimated cost of the public works project using employee or inmate labor is less than the greater of:

(A) fifty thousand dollars (\$50,000); or



- 1 (B) the project cost limitation set by IC 4-13-2-11.1.
- 2 All public works projects covered by this subsection must comply with
- 3 the remaining provisions of this article and all plans and specifications
- 4 for the public works project must be approved by a licensed architect
- 5 or engineer.

